

AMENDMENT TO
RULES COMMITTEE PRINT 117-54
OFFERED BY MR. CASTEN OF ILLINOIS

At the end of subtitle B of title III, insert the following new section:

1 SEC. 3 ____ . TARGETS FOR ENERGY RESILIENCE AND COST
2 SAVINGS AND OTHER MATTERS RELATING TO
3 ENERGY AND CLIMATE RESILIENCE.

4 (a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense should use existing
5 authorities (including the authorities under sections 2805,
6 2912, 2913(d), and 2914 of title 10, United States Code,
7 and such other authorities or funding mechanisms as may
8 be available to the Secretary as of the date of the enactment of this Act to enter into public-private partnerships
9 or other arrangements) for the purpose of achieving the
10 goals and targets of the Department of Defense relating
11 to the development and use of charging or refueling stations for alternative fuel vehicles on installations of the
12 Department.
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16 (b) TARGETS.—Section 2911(g) of title 10, United
17 States Code, is amended—

1 (1) in the heading, by striking “GOAL” and in-
2 serting “TARGETS”;

3 (2) by redesignating paragraph (3) as para-
4 graph (4); and

5 (3) by striking paragraphs (1) and (2) and in-
6 serting the following new paragraphs (1) through
7 (3):

8 “(1) It shall be the target of the Department of De-
9 fense, with respect to the activities, personnel, resources,
10 and facilities of the Department located within the United
11 States—

12 “(A) to demonstrate significant progress to-
13 wards achieving at least 40 percent carbon pollution-
14 free electricity on a net annual basis by 2024 within
15 all such facilities of the Department;

16 “(B) to demonstrate significant progress to-
17 wards achieving 100 percent carbon pollution-free
18 electricity on a net annual basis by 2030 within all
19 such facilities of the Department;

20 “(C) to reduce embodied and contractor emis-
21 sions from Department procurement and prioritize
22 construction materials with lower embodied emis-
23 sions, achieving net zero emissions from Department
24 procurement by 2050;

1 “(D) to reduce emissions from buildings on De-
2 partment installations by 50 percent by 2032 and to
3 achieve net-zero emissions from buildings on instal-
4 lations by 2045; and

5 “(E) to achieve 100 percent zero-emission vehi-
6 cle acquisitions for non-tactical vehicles by 2030, in-
7 cluding 100 percent zero-emission light-duty vehicle
8 acquisitions by 2027, and to work towards 100 per-
9 cent zero-emission tactical vehicle acquisitions by
10 2045.

11 “(2) The Secretary of Defense may issue an exemp-
12 tion to the targets under paragraph (1) with respect to
13 an activity of an agency, and any related personnel, re-
14 sources, and facilities, if the Secretary—

15 “(A) determines that the exemption is in the
16 national security interests of the United States; and

17 “(B) submits to the congressional defense com-
18 mittees notice in writing of the exemption within 30
19 days of issuing the exemption.

20 “(3)(A) The Secretary of Defense shall submit to the
21 congressional defense committees an annual report on the
22 progress the Department of Defense has made towards
23 achieving the targets under paragraph (1). Each such re-
24 port shall cover activities to achieve such targets con-

1 ducted during the year preceding the date of the submis-
2 sion of the report and shall include—

3 “(i) an identification of outstanding funding
4 and staffing resources need to implement such ac-
5 tivities;

6 “(ii) a description of any planned activities the
7 Secretary intends to carry out in order to meet such
8 targets, including how the Office of the Secretary of
9 Defense, the military departments, and Defense
10 agencies plan to collaborate to implement such ac-
11 tivities; and

12 “(iii) a plan to increase production of renewable
13 energy on Department of Defense installations and
14 pursue any energy reduction or conservation efforts.

15 “(B) Each report under subparagraph (A) shall be
16 made publicly available on an appropriate website of the
17 Department of Defense.”; and

18 (4) by adding at the end the following new
19 paragraph:

20 “(5) The Secretary of Defense shall delegate the re-
21 sponsibility for carrying out this subsection to the Assist-
22 ant Secretary of Defense for Energy, Installations, and
23 Environment.”.

24 (c) NON-DOMESTIC APPLICATION OF TARGETS.—The
25 Secretary of Defense may apply, in whole or in part, the

1 targets set forth in section 2911(g)(1) of title 10, United
2 States Code, as amended by subsection (a), with respect
3 to the activities, personnel, resources, and facilities of the
4 Department of Defense located outside of the United
5 States if the Secretary determines such application to be
6 in the interest of the United States.

7 (d) DIRECT HIRE AUTHORITY FOR POSITIONS SUP-
8 PORTING DEPARTMENT OF DEFENSE ENERGY INDE-
9 PENDENCE AND CLIMATE RESILIENCE EFFORTS.—Chapter
10 ter 81 of title 10, United States Code, is amended by add-
11 ing at the end the following new section:

12 **“§ 1599j. Direct hire authority for positions sup-**
13 **porting Department of Defense energy**
14 **independence and climate resilience ef-**
15 **forts**

16 “(a) AUTHORITY.—The Secretary of Defense may
17 appoint in the Department of Defense, without regard to
18 the provisions of subchapter I of chapter 33 of title 5,
19 other than sections 3303 and 3328 of such title, qualified
20 candidates to positions described in subsection (b) who
21 possess skills and experience the Secretary determines are
22 necessary to support the sustainability efforts of the De-
23 partment of Defense.

24 “(b) POSITIONS.—The positions described in this
25 subsection are all positions involved in supporting the en-

1 ergy independence and climate resilience efforts of the De-
2 partment, including the following:

3 “(1) Any position under the Assistant Secretary
4 of Defense for Energy, Installations, and Environ-
5 ment.

6 “(2) Any position that supports the remediation
7 or response efforts of the Department with respect
8 to perfluoralkyl substances and polyfluoroalkyl sub-
9 stances.

10 “(3) Any position that supports the environ-
11 mental stewardship programs of the Department.

12 “(4) Any position that supports the efforts of
13 the Department to meet the energy resilience and
14 security goals outlined in—

15 “(A) section 203 of the Energy Policy Act
16 of 2005 (42 U.S.C. 15852);

17 “(B) the Energy Independence and Secu-
18 rity Act of 2007 (42 U.S.C. 17001 et seq.); or

19 “(C) section 2911(g) of this title.

20 “(5) Any position that supports the Chief Sus-
21 tainability Officer of the Department.

22 “(6) Any other position the Secretary deter-
23 mines is essential to advancing the energy independ-
24 ence and climate resilience efforts of the Depart-
25 ment.”.

1 (e) REPORT ON INVESTMENT BY DEPARTMENT IN
2 ALTERNATIVE FUEL VEHICLES.—

3 (1) REPORT.—Not later than two years after
4 the date of the enactment of this Act, the Secretary
5 of Defense shall submit to the Committees on Armed
6 Services of the House of Representatives and the
7 Senate a report on the investment in alternative fuel
8 vehicles by the Department of Defense.

9 (2) ELEMENTS.—The report under paragraph
10 subparagraph shall include, at a minimum, the fol-
11 lowing:

12 (A) An assessment of funding levels for in-
13 vestment by the Department in alternative fuel
14 vehicles and associated trends for such invest-
15 ment across programs of the Department and
16 the military departments.

17 (B) An assessment of any duplication of
18 efforts relating to such investment across pro-
19 grams of the Department and the military de-
20 partments.

21 (C) An assessment of the long-term avail-
22 ability to the Department of internal combus-
23 tion engines and spare parts for such engines.

24 (D) An assessment of the relative tactical
25 benefits and limitations of each type of vehicle

1 propulsion (such as speed, acceleration, noise
2 production, time to refuel or recharge, range,
3 and operational duration), across the various
4 types of military missions.

5 (E) An assessment of the relative tactical
6 benefits and limitations of each type of vehicle
7 propulsion with respect to the provision of sup-
8 port to other tactical systems requiring elec-
9 tricity.

10 (F) An assessment of how the propulsion
11 systems of electrical and other alternative fuel
12 vehicles may be fueled on the battlefield and
13 what investments may be necessary to maintain
14 such a fueling system.

15 (G) A comparison of the relative risk to
16 personnel of the Department and to the supply
17 chain between different fuel types to determine
18 the tradeoffs associated with the adoption of
19 any given fuel type.

20 (H) A projected timeline of when a poten-
21 tial conversion to the use of alternative fuel ve-
22 hicles as tactical vehicles could reasonably occur
23 without causing a significant effect on the read-
24 iness of the Armed Forces, as determined by
25 the Secretary.

1 (I) The projected costs of converting (or
2 replacing) and sustaining alternative fuel vehi-
3 cles as tactical vehicles, to include training, in
4 total and for the two-year period following the
5 date of the review.

6 (J) An assessment of any national security
7 implications relating to—

8 (i) the use of alternative fuel vehicles;
9 and

10 (ii) the effects of the use of such vehi-
11 cles on the supply chain for such vehicles
12 and the source materials of such vehicles.

13 (K) Recommendations for further coordi-
14 nation of efforts of the Department and any
15 legislative or organizational changes that may
16 improve the coordination or alignment of invest-
17 ment by the Department in the
18 operationalization of alternative energy sources.

19 (L) Such other elements as the Secretary
20 considers appropriate.

21 (f) INDEPENDENT STUDY ON SCOPE 3 EMISSIONS
22 RESULTING FROM CERTAIN DEPARTMENT OF DEFENSE
23 ACTIVITIES.—

24 (1) INDEPENDENT STUDY.—Not later than 180
25 days after the date of the enactment of this Act, the

1 Secretary of Defense shall seek to enter into a con-
2 tract with a federally funded research and develop-
3 ment center, or other suitable organization outside
4 the Department of Defense as determined appro-
5 priate by the Secretary, to conduct a study on the
6 scope 3 emissions resulting from certain activities of
7 the Department of Defense, including such activities
8 carried out under contracts or other agreements, in
9 accordance with the guidance of the Environmental
10 Protection Agency titled “Scope 3 Inventory Guid-
11 ance” (relating to scope 3 emissions), or any suc-
12 cessor guidance.

13 (2) ELEMENTS.—The study referred to in para-
14 graph (1) shall include a comprehensive review and
15 assessment of the following:

16 (A) Any contracts or other agreements re-
17 lating to manufacturing that the Secretary of
18 Defense has entered into.

19 (B) The extent to which, in performing
20 work under such contracts or other agreements,
21 contractors and other partners track green-
22 house gas emissions.

23 (C) The known greenhouse gas emissions
24 that occur within the supply chain of the De-
25 partment.

1 (3) REPORT.—

2 (A) SUBMISSION TO SECRETARY.—The
3 terms of the contract under paragraph (1) shall
4 include a requirement that the federally funded
5 research and development center or other orga-
6 nization that conducts the study under the con-
7 tract to submit to the Secretary of Defense a
8 report on the results of the study, which shall
9 include an identification of the following:

10 (i) Considerations and recommenda-
11 tions for the reduction of greenhouse gas
12 emissions of contractors and other part-
13 ners performing work under contracts or
14 other agreements with the Department.

15 (ii) Any existing alternatives that
16 produce lower greenhouse gas emissions
17 while still aligning with the national secu-
18 rity interests of the United States and the
19 priorities set forth in the national defense
20 strategy.

21 (iii) Any legislative recommendations
22 to—

23 (I) support and facilitate imple-
24 mentation of the national defense

1 strategy with respect to climate- and
2 environmental-related goals; or

3 (II) reduce greenhouse gas emis-
4 sions through modernization of the
5 supply chain of the Department.

6 (B) SUBMISSION TO CONGRESS.—Upon re-
7 ceiving the report on the results of the study
8 under subparagraph (A), the Secretary of De-
9 fense shall submit to the congressional defense
10 committees an unedited copy of such report, to-
11 gether with the written perspectives of the Sec-
12 retary of Defense and the Chairman of the
13 Joint Chiefs of Staff with respect to the results.

14 (C) FORM.—The report submitted under
15 subparagraph (B) shall be submitted in unclas-
16 sified form, but may include a classified annex.

17 (4) AMOUNTS.—In carrying out this subsection,
18 the Secretary shall use amounts provided in advance
19 in appropriation Acts.

20 (g) DEFINITIONS.—In this section:

21 (1) The term “alternative fuel vehicle” includes
22 a vehicle that uses—

23 (A) a fuel or power source described in the
24 first sentence of section 241(2) of the Clean Air
25 Act (42 U.S.C. 7581(2)); or

1 (B) propane.

2 (2) The term “energy savings performance con-
3 tract” has the meaning given that term in section
4 804(3) of the National Energy Conservation Policy
5 Act (42 U.S.C. 8287c(3)).

6 (3) The term “national defense strategy”
7 means the review of the defense programs and poli-
8 cies of the United States that is carried out every
9 four years under section 113(g) of title 10, United
10 States Code.

11 (4) The term “scope 3 emissions” means emis-
12 sions that result from activities of a Federal depart-
13 ment or agency but are generated from value chain
14 activities.

